

Appln. No. 10/825,496
Amdt. dated November 20, 2006
Reply to Office Action dated October 12, 2006

RECEIVED
CENTRAL FAX CENTER
NOV 20 2006

REMARKS/ARGUMENTS


Applicants would like to thank the Examiner for the careful consideration given the present application. Reconsideration of the application is requested in view of the comments made herein.

Each of the pending independent claims, specifically, claims 1, 15, 23, and 40, of the present application have been rejected under 35 U.S.C. 102(e) as being anticipated by Lui (U.S. Patent 6,729,930). However, the present application claims priority to U.S. Provisional Patent Application 60/462,931, filed April 15, 2003, which is earlier than the filing date of Lui. Priority to the provisional application was perfected by providing a specific reference to the provisional application in the specification of the present application and in the application data sheet filed with the present application. Additionally, U.S. Provisional Patent Application 60/462,931 satisfies the enablement and written description requirements of 35 U.S.C. 112, first paragraph. Thus, it is submitted that Lui is not a proper prior art reference with respect to the pending claims and the rejections made in the present Office action are considered moot. For at least this reason, withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35502US1.

Respectfully submitted,
PEARNE & GORDON, LLP

By: 
Una L. Lauricia - Reg. No. 48,998

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700
Date: November 20, 2006